



PUBLIC NOTICE

Federal Communications Commission
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DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF DILLER TELEPHONE COMPANY TO THE WILLIAM R. SANDMAN REVOCABLE TRUST

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 14-224

Comments Due: December 9, 2014
Reply Comments Due: December 16, 2014

On November 19, 2014, Diller Telephone Company (Diller Telephone) and the William R. Sandman Revocable Trust (Sandman Trust), (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules for the transfer of control of Diller Telephone and its wholly owned subsidiary Diode Telecom, Inc. (Diller) to the Sandman Trust.¹ Applicants consummated the transaction in March 2011 without prior authorization from the Commission.²

Diller Telephone, a Nebraska corporation, provides local exchange and long distance services to four exchanges, one of which has a few subscribers in Kansas. Diller, a Nebraska corporation, provides, by itself, or through its wholly-owned subsidiaries, Diode Telecom, Inc. and Diode Cable Company, broadband services and cable television services to a larger area. The William R. Sandman Revocable Trust (William P. Sandman, Trustee) and the Steven P. Sandman Revocable Trust (Steven P. Sandman, Trustee) were created in Nebraska. Applicants state that the trusts and trustees do not hold a ten percent or greater interest in any other telecommunications provider.

In March 2011, the Revocable Trusts of William and Gladys L. Sandman transferred their respective shares of the stock of Diller Telephone Company to the Revocable Trusts of William R. Sandman and Steven P. Sandman. Following the transfer, William R. Sandman trust owns 53 percent of the Diller Telephone stock and the Steven P. Sandman trust now owns 47 percent of the Diller Telephone stock. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment and

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorizations for international and wireless services.

² On November 20, 2014, the Wireline Bureau granted the Applicants' request for special temporary authority. Applicants filed a supplement to their application on November 25, 2014. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications and does not preclude or prejudice any enforcement action related to the unauthorized transfer of control.

assert that a grant of the application will serve the public interest, convenience, and necessity. We accept the application for streamlined processing under section 63.03(b)(1)(ii) of the Commission's rules.³

Domestic Section 214 Application Filed for the Transfer of Control of Diller Telephone Company to William R. Sandman Revocable Trust, WC Docket No. 14-224 (filed Nov. 19, 2014).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before December 9, 2014**, and reply comments **on or before December 16, 2014**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) David Krech, Policy Division, International Bureau, david.krech@fcc.gov;
- 4) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to

³ 47 C.F.R. § 63.03(b)(1)(ii).

such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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